

1 ANTHONY M. PEREZ, JR., Bar No. 113041  
2 [aperez@perezlawoffices.com](mailto:aperez@perezlawoffices.com)

3 **PEREZ LAW OFFICES**  
4 455 Capitol Mall, Suite 231  
5 Sacramento, CA 95814  
6 Tel: (916) 441-0500  
7 Fax: (916) 441-0555

8 CHARLES L. POST, Bar No. 160443  
9 [cpostl@weintraub.com](mailto:cpostl@weintraub.com)

10 BRENDAN J. BEGLEY, Bar No. 202563  
11 [bbegley@weintraub.com](mailto:bbegley@weintraub.com)

12 Darrin M. Menezes, Bar No. 202729  
13 [dmenezes@weintraub.com](mailto:dmenezes@weintraub.com)

14 **WEINTRAUB TOBIN CHEDIAK COLEMAN GRODIN**  
15 Law Corporation  
16 400 Capitol Mall, 11th Floor  
17 Sacramento, CA 95814  
18 Telephone: (916) 558-6000  
19 Facsimile: (916) 446-1611

20 Attorneys for Plaintiff

21 [Additional Counsel Listed on Following Page]

22 UNITED STATES DISTRICT COURT

23 NORTHERN DISTRICT OF CALIFORNIA

24 VALERIE CASHON, on behalf of herself  
25 and all others similarly situated,

26 Plaintiff,

27 v.

28 KINDRED HEALTHCARE  
OPERATING, INC., a Delaware  
Corporation; GENTIVA CERTIFIED  
HEALTHCARE CORP., a Delaware  
Corporation; and DOES 1 through 15  
inclusive,

Defendants.

Case No. 3:16-cv-04889 RS

**JOINT STIPULATION TO FURTHER  
EXTEND DEADLINE TO FILE MOTION  
FOR PRELIMINARY APPROVAL OF  
CLASS ACTION SETTLEMENT AND  
HEARING ON MOTION FOR  
PRELIMINARY APPROVAL;  
[PROPOSED] ORDER**

1 ELIZABETH STAGGS WILSON, Bar No. 183160

2 [estaggs-wilson@littler.com](mailto:estaggs-wilson@littler.com)

3 LITTLER MENDELSON, P.C.

4 2049 Century Park East, 5th Floor

5 Los Angeles, CA 90067.3107

6 Telephone: 310.553.0308

7 Facsimile: 310.553.5583

8 ALISON CUBRE, Bar No. 257834

9 [acubre@littler.com](mailto:acubre@littler.com)

10 LISA LIN GARCIA, Bar No. 260582

11 [llgarcia@littler.com](mailto:llgarcia@littler.com)

12 LITTLER MENDELSON, P.C.

13 333 Bush Street, 34<sup>th</sup> Floor

14 San Francisco, CA 94104.2842

15 Telephone: 415.433.1940

16 Facsimile: 415.399.8490

17 ANGELO SPINOLA, *appearance pro hac vice*

18 [aspinola@littler.com](mailto:aspinola@littler.com)

19 LITTLER MENDELSON, P.C.

20 3344 Peachtree Road NE, Suite 1500

21 Atlanta, GA 30326

22 Telephone: 404.233.0330

23 Facsimile: 404.233.2361

24 Attorneys for Defendants

25 KINDRED HEALTHCARE OPERATING, INC. and GENTIVA  
26 CERTIFIED HEALTHCARE CORP.  
27  
28

1 Plaintiff VALERIE CASHON (“Plaintiff”) and Defendants KINDRED  
2 HEALTHCARE OPERATING, INC. and GENTIVA CERTIFIED HEALTHCARE CORP.  
3 (“Defendants”) (collectively, the “Parties”), through their respective counsel, hereby stipulate,  
4 subject to Court approval, as follows.

5 WHEREAS, on November 19, 2017 the parties participated in mediation in this  
6 action;

7 WHEREAS, on November 28, 2017, Plaintiff filed a Notice of Proposed Class  
8 Settlement and Request for Preliminary Approval Hearing Date [Dkt No. 58] in which Plaintiff  
9 informed the court of a proposed settlement and sought a motion for preliminary approval of class  
10 action settlement hearing date in late January 2018;

11 WHEREAS, on November 28, 2017, the Court issued an Order Staying Currently Set  
12 Date and Setting Schedule for Preliminary Approval [Dkt No. 59] in which the Court ordered the  
13 parties to file the motion for preliminary approval by January 11, 2018 and set the hearing regarding  
14 preliminary approval on February 1, 2018 at 1:30 p.m. in Courtroom 3;

15 WHEREAS, the Parties have previously requested and the Court approved the  
16 Parties’ request to move the deadline to file the motion for preliminary approval [Dkt Nos. 61-64];

17 WHEREAS, the current deadline for Plaintiff to file her motion for preliminary  
18 approval is March 1, 2018;

19 WHEREAS, the Parties have been and continue to work diligently to prepare the  
20 long-form stipulation regarding class settlement but have not yet finalized that agreement;

21 WHEREAS, the parties need further additional time to finalize that agreement after  
22 which the motion for preliminary approval can be filed and heard;

23 WHEREAS, the parties believe that it would be most efficient for the parties and the  
24 Court to continue the deadline regarding motion for preliminary approval;

25 NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, subject to  
26 Court approval, as follows:

27 1. The deadline for Plaintiff to file her motion for preliminary approval currently  
28 scheduled for March 1, 2018 shall be continued to March 6, 2018; and

2. The hearing on Plaintiff's motion for preliminary approval currently scheduled for March 29, 2018 remain on that date or the Court's earliest available hearing date thereafter.

IT IS SO STIPULATED.

Dated: March 1, 2018

/s/ Anthony Perez  
ANTHONY PEREZ  
CHARLES L. POST  
BRENDAN J. BEGLEY  
DARRIN M. MENEZES  
Attorneys for Plaintiff  
VALERIE CASHON

Dated: March 1, 2018

*/s/ Lisa Lin Garcia*  
ELIZABETH STAGGS WILSON  
ALISON J. CUBRE  
LISA LIN GARCIA  
ANGELO SPINOLA  
Attorneys for Defendants  
KINDRED HEALTHCARE OPERATING,  
INC., and GENTIVA CERTIFIED  
HEALTHCARE CORP.

1 **~~PROPOSED~~ ORDER**

2 Having considered the Parties' Joint Stipulation to Further Extend Deadline to File  
3 Motion for Preliminary Approval of Class Action Settlement and Hearing on Motion for Preliminary  
4 Approval, and good cause appearing therefor, the Court hereby orders as follows:

5 1. The deadline for Plaintiff to file her motion for preliminary approval is hereby  
6 continued from March 1, 2018 to March 6, 2018;

7 2. The hearing on Plaintiff's motion for preliminary approval shall be set on  
8 March 29, 2018 at 1:30 pm.

9 **IT IS SO ORDERED**

10  
11 Dated: 3/2/18

12   
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
HON. RICHARD SEEBORG